

REMARKS

The Examiner is thanked for the Official Action of August 28, 2008 and informal phone interview conducted in the early September. This request for reconsideration is intended to be fully responsive thereto.

Claim Rejections 35 USC 102

Claims 1 through 30 were rejected under 35 USC 102(e) as being anticipated by the Applicant's own Co-pending Application Serial Number 09/980,619 (Publication No. 2003/0074600). The Applicant respectfully disagrees with the Examiner. However, the Applicant is the sole inventor of both the cited reference and the present invention. Therefore, as discussed in the phone interview, the Applicant decided to file an attached terminal disclaimer rendering this rejection moot. The fee for this attached terminal disclaimer is being submitted electronically via EFS.

Conclusion

In view of the above, Applicant respectfully submits that each of claims 1 through 30 recites statutory subject matter that is novel and new, is subject matter of the present invention and is fully supported in the disclosure of the present invention, and therefore respectfully requests that claims 1 through 30 be found allowable and that this application be passed to issue. No new matter has been included.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 50-2069, **referencing docket number 050-401..**

Respectfully submitted,

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